

STATE OF TENNESSEE,
Nashville, TN, March 5, 2001.

Hon. FRED THOMPSON,
Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR THOMPSON: I'd like to offer you my support for Senate Joint Resolution 6, which disapproves the ergonomics rule submitted by the Department of Labor.

I oppose unfunded federal mandates and believe in each state's right to set workplace laws. The Ergo Rule is too complex, too unworkable and would be far too costly for state and local governments at a time when most state and local governments are working to cut costs in an effort to continue to provide quality, effective services without overburdening taxpayers.

In addition, the ergonomics legislation would negatively impact hundreds of Tennessee businesses. For these reasons, I join you and the Tennessee Association of Business, the Tennessee Apparel Corporation, the Tennessee Grocers Association, the Tennessee Automotive Association, the Tennessee Malt Beverage Association, the Tennessee Health Care Association and Chattanooga Bakery Inc. in support of Senate Joint Resolution 6.

If I can be of further assistance on this or other matters please don't hesitate to call.

Sincerely,

DON SUNDQUIST.

THE CITY OF KNOXVILLE,
Knoxville, TN, March 5, 2001.

Hon. FRED THOMPSON,
U.S. Senate,
Washington, DC.

DEAR FRED: I am writing to advise you that I fully support S.J.R. 6.

This regulation regarding ergonomics is ill advised and will adversely impact local governments. It will, in fact, impose another unfunded mandate on local governments that would prove to be extremely costly for our taxpayers. It would eventually result in reduced services and/or a property tax increase.

This regulation is complex and unworkable. It is unclear how state and local governments will be affected. In addition, there can be no alternative position established for personnel such as firefighters and police officers.

I am hopeful your efforts to stop this regulation from taking effect will meet with success.

Sincerely yours,

VICTOR ASHE,
Mayor.

CITY OF JACKSON,
Jackson, TN, March 5, 2001.

Re S.J. Resolution 6.

Senator FRED THOMPSON,
Committee on Governmental Affairs,
Washington, DC.

DEAR SENATOR THOMPSON: I urge you to support S.J. Resolution 6 which allows for disapproval of the rule submitted by the Department of Labor relating to ergonomics regulation for the following reasons:

Tennessee has already enacted a comprehensive and effective workers' compensation system that encourages employers to provide a safe working environment and to compensate employees for injuries that occur.

The proposed rule would displace the role of states in compensating workers for musculoskeletal injuries in the workplace.

It would require employers to compensate workers for medical treatment under both the existing workers' compensation rules and OSHA rules.

The rule would force manufacturers to unnecessarily alter workstations and redesign

facilities, which could cause undue financial hardships on businesses without guaranteeing the prevention of a single injury.

In some work environments such as fire fighting and police activity it would be impossible to alter the components of their job and remain effective.

It is unclear how state and local government employees will be affected by the rule.

OSHA did not conduct a cost-benefit analysis revealing the fiscal impact of the rule.

The rule is an unfunded mandate thereby placing the burden of funding on states and cities.

In short the rule is costly and unworkable.

Thank you for your attention to this matter. Please advise as to how I can provide further assistance of information.

Yours truly,

CHARLES H. FARMER,
Mayor.

RECESS

The PRESIDING OFFICER. The hour of 12:30 having arrived, under the previous order the Senate will stand in recess until the hour of 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. ENZI).

DISAPPROVAL OF DEPARTMENT OF LABOR ERGONOMICS RULE—Continued

The PRESIDING OFFICER. Who yields time?

Mr. DODD. Mr. President, I ask unanimous consent that the order recognizing Senator THOMPSON be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Connecticut is recognized.

Mr. DODD. Mr. President, I wish to address the Senate on the matter before us that has been the subject of the debate all morning—the resolution which would vitiate OSHA regulations on ergonomics. Ergonomics is a dreadful name. I am trying to find a good definition for it. It is probably causing some people to wonder what this debate is all about.

I am told that ergonomics is the science of fitting the job to the worker and ergonomic injuries are repetitive stress injuries.

There have been some rather startling statistics regarding these stress-related injuries over the last number of years. The National Academy of Sciences and the Institute of Medicine report of January, 2001, reported that in 1999, nearly 1 million people took time from work to treat or recover from work-related ergonomic injuries. The cost of these injuries is enormous—about \$50 billion annually. Many of the people with ergonomic injuries we are familiar with, such as meat-packing workers and poultry workers, assembly line workers, computer users, stock handlers and canners, sewing machine operators, and construction workers. While women make up 46 percent of the overall work-

force, they account for over 64 percent of these repetitive motion injuries.

More statistics may be somewhat helpful here. According to the Bureau of Labor Statistics, 1.8 million ergonomic injuries are reported each and every year, and have been for well over the last decade as our economy produced more jobs of the kind I just described. Six hundred thousand people have lost work time as a result of these injuries. Ergonomic injuries cost businesses \$50 billion a year. Finally, women, who make up 46 percent of the workforce, account for a majority of these injuries that are occurring in the workplace. These injuries are debilitating. They are painful and the economic hardship caused by them is significant.

I can tell you firsthand about a woman who spent 30 years working in the Senate, and worked with me for almost the last 20 years. She developed carpal tunnel syndrome, a very painful injury. She was a valued worker in my office and showed up for work every day. I do not recall her ever being absent during the 20 years she spent with me. When she developed carpal tunnel syndrome, she was unable to perform her regular duties. But we found other work in the office for her to do until she was able to recover. She continued working in my office until she retired.

I mention these statistics and numbers because I find it rather appalling that we are now in the business, if this resolution is adopted, of abolishing the rules that provide help for 1.8 million people a year who are injured by repetitive stress injuries. It is the kind of protection workers ought to be getting under OSHA. I don't know of another time in the 20th century when we rolled back the clock on protecting workers in this country from work-related injuries.

I know there were times when people fought the initial legislation that provided protection. But I don't know if there was ever a time since this Nation first decided it was in the national interest to provide protection for people, that we have rolled back the standards in 10 hours of debate—10 hours. That is it, 10 hours of debate, after 10 years of crafting these rules to provide these protections.

Let me tell you what is the greatest irony of all. Who started this debate? Who proposed that we do something about this? It was the Secretary of Labor, Elizabeth Dole, who first brought up the issue that we ought to do something about protecting people from these kinds of injuries.

In fact, it was in August of 1990, in response to evidence that repetitive stress injuries were the fastest growing occupation illnesses in the country, that Secretary of Labor Elizabeth Dole announced the beginning of rule-making on the ergonomics standards. Two years later, in 1992, her successor, Lynn Martin, under yet another Republican Administration, issued an advanced notice of proposed rulemaking